

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

REAL VIEW, LLC

Plaintiff,

v.

20-20 TECHNOLOGIES, INC.,

Defendant.

CIVIL ACTION NO. 07-12157

20-20 TECHNOLOGIES, INC.,

Counterclaim Plaintiff

v.

REAL VIEW, LLC

Counterclaim Defendant,

and

BORIS ZELDIN and LEONID PERLOV

Additional Party Defendants
in Counterclaim

**REVISED LIST OF SIMILARITIES SUBMITTED BY
20-20 TECHNOLOGIES, INC.**

20-20 Technologies, Inc. (“20-20”), by its attorneys, hereby submits this revised list of the claimed similarities between 20-20’s product (called “20-20 Design”) and Real View LLC’s product (called “ProKitchen”). The revised list reflects certain deletions from the initial list of similarities submitted on July 17, 2009. The revised list does not contain any additional similarities from the earlier list.

The screenshots of the copied elements will be submitted along with the affidavit of 20-20’s expert Professor Randall Davis. As notational shorthand, use of the format

name1/name2 in the chart is used to indicate that 20-20 Design uses name1 while ProKitchen uses name2. The following elements have been copied, grouped according to category:

An Intuitive User Interface for the Kitchen Design	
1	Appearance of the overall layout of the screen, overall layout and presentation of information and icons (user interface).
2	Same sequence of sub-windows on the left side of the screen: information box, edit box, hierarchical catalog box, drag and drop listing, and search box.
3	Vertical set of icons next to the boxes: selection, arrangement and appearance of icons.
4	Selection and arrangement in the main set of actions: Place, Notes/Comment, Dimensions/Measurements.
5	Horizontal toolbar – selection and ordering of commands: Select, Zoom In/Out, Zoom to Region, Zoom to Fit, Elevation View, Bill of Materials, Isometric View, Perspective/3D.
6	DELETED

The Elevation View of the Design	
7	Main window subdivided into a plan view and elevation view, with the plan view at the bottom and the elevation view at the top.
8	DELETED

Multiple Views of the Design, Allowing the User to Focus on Different Aspects of the Design.	
9	Multiple views of the same design with limited visibility of items (i.e. only cabinets, only countertops, architecture, no dimensions, etc) via the use of tabs in both the plan and elevation views.
10	DELETED

View Controls	
11	Display settings box – expression in the Items tab
12	Display settings box – expression in the Dimensions tab
13	Display settings box – expression in the Grid tab
14	Display settings box – expression in the Units tab

Creating a Picture of the Current Design	
15	Similarity of expression in the File actions: Save As Image.

Adjusting the Dimensions and Other Properties of Objects	
16	DELETED

Determining What Things Should Be Shown on the Screen	
18	Similarity of expression in the View options: Add Elevation Area/Elevation, Show Bill of Materials/Bill of Material, Drag & Drop List/Catalog, Information Box/Info, Edit Box, Edit

Adding Kitchen Objects to the Design	
19	Similarity of expression in the Place options: Walls/Wall, Openings & Obstacles/Window and Door, Appliances/Appliance, Cabinets/Cabinet, Countertops/Countertop, Trims/Trim

Adding Dimension Notations to the Design	
20	Similarity of expression in the Dimensions options: identical set of six dimensions, in the same order with almost identical icons.

Adding Textual Notes to the Design	
21	Similarity of expression in the Notes/Comments options.
22	Similarity of expression of adding a note and tagging it with a number.

Adding Walls to the Design	
23	Similarity of expression in offering the same three methods to add a wall: Place command, toolbar, new design default mode.
24	Similarity of expression in the user interface: similar icons in the same order in the vertical toolbar for drawing/specification of walls or construction lines.
25	Similarity of expression of creating walls using the same idiosyncratic sequence of mouse clicks.
26	Similarity of expression to terminate drawing walls by using an undocumented “click behind most recent wall”.
27	Similarity of expression of creating walls using the Edit Box.
28	Similarity of expression of creating walls using the default room configurations (L, U, closed).

Providing A Default Location for Cabinets, Etc.	
29	Similarity of expression in a placement zone (conception, execution and appearance).

Modifying Walls in the Design	
30	Similarity of expression in editing walls: almost identically organized options.
31	Similarity of expression in moving walls
32	Similarity of expression in rotating walls.
33	Similarity of expression in extruding walls.
34	Similarity of expression in deleting walls.

Modifying the Details of a Wall	
35	Similarity of expression in modifying wall properties: dialog boxes and editing choices.
36	Changing a wall to and from a construction line.
37	Moving, adding, and removing a placement zone
38	Changing the thickness and height

Placing Kitchen Design Components (Cabinets, Appliances, Windows, Doors, Etc.)	
39	Similarity of expression in providing the same four ways of starting to place kitchen design components: Place command, toolbar shortcut, navigating the Drag & Drop list, using the Search/Find window
40	Similarity of expression in placing an item: select from list, then choose Place button.
41	Similarity of expression in placing an item: drag and drop from the Drag & Drop list.
42	Similarity of expression of item placement: start in “drag mode” by default.
43	Similarity of expression of item placement: connect the item to a wall or construction line.
44	Similarity of expression of item placement: option to type in item location.
45	Similarity of expression of item placement: option to place item in either the plan or elevation view.
46	Similarity of expression of item placement: override of collision detection via the Control key.

Modifying Kitchen Design Components	
47	Similar expression in the Attributes/Attribute menu

Enforcing Sensible Final Placement of Windows and Doors	
48	DELETED

Modifying Kitchen Design Components	
49	Similarity of expression of resizing windows and doors after they are placed: right click and select resize.
50	Similarity of expression of resizing windows and doors after they are placed: right click and select attributes.

Adding Countertops	
51	Similarity of expression in automatically adding countertops to all base cabinets.
52	Similarity of expression in applying an overhang on all four sides if the item is not placed on a wall.
53	Similarity of expression in the use of a rectangular countertop shape called “User Shape” that can be placed on the floor or elevation plan, and then modified.

Editing Countertops (e.g., Change the Shape Of)	
54	Similarity of expression in options available: Extrude, Intersect, Add Point, Radius, Notch, Bevel, etc.

Bill of Materials	
55	Similarity of expression in presentation and nomenclature of Bill of Materials.

Overall Conditions for Styles (e.g., Wood Type) and Pricing (“Upcharges”)	
56	DELETED
57	Similarity of expression in Styles and Pricing (20-20) and Global Options (ProKitchen)

The Printed Version of the Design	
58	Matching ungrammatical wording in legend.

Duplicating an Item With A Single Command	
59	ProKitchen 2.2 Help describes a Duplicate command when it does not have such a command, however the description matches 20-20 Design’s Duplicate command.

Adding an “Obstacle” to the Design	
60	ProKitchen 2.2 Help refers to an Obstacle button that matches 20-20 Design’s Obstacle button, but does not itself have such a button.

Describing the Behavior of the Information Panel	
61	ProKitchen 2.2 Help describes its “Info Panel” in way that matches 20-20 Design, but does not match ProKitchen.

These copied elements will be presented and discussed in detail during the live testimony of Professor Davis.

Dated: July 21, 2009

Respectfully submitted,

DECHERT LLP

/s/ Timothy C. Blank

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Certificate of Service

I hereby certify that on July 21, 2009, a true and correct copy of the foregoing document was served upon opposing counsel by electronic case filing.

/s/ Timothy C. Blank